



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 Broadway  
New York, New York 10007

SEP 12 2014

Ed Roggenkamp  
Sive Paget & Riesel, PC  
460 Park Avenue  
New York, NY 10022

Re: Freedom of Information Act Request EPA-R2-201-009340

Dear Mr. Roggenkamp:

This is in response to your Freedom of Information Act ("FOIA") request, submitted on August 7, 2014, regarding the New Cassel/Hicksville Groundwater Contamination Site ("Site"). Specifically, your letter requested records and documents comprising the Environmental Protection Agency's ("EPA's") basis for including your clients as Potentially Responsible Parties ("PRPs") at the Site as well as any written communications including documents exchanged between EPA and any other PRPs (or their counsel), related to your clients or to activities at 89 Frost Street, Westbury, N.Y.

Attached, please find documents responsive to your request. Also attached is an itemized list of documents which are responsive to your request but have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b)(5) (deliberative process, attorney work product, and attorney-client).

Under the FOIA, you have the right to appeal this determination to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), E-mail: [foia\\_hq@epa.gov](mailto:foia_hq@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the EPA number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

For any questions concerning this matter, please contact Sharon Kivowitz at 212-637-3183 or [kivowitz.sharon@epa.gov](mailto:kivowitz.sharon@epa.gov).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Eric Schaaf". The signature is written in dark ink and is positioned above the printed name and title.

Eric Schaaf  
Regional Counsel

**Privilege List**  
**FOIA # EPA-R2-2014-009340**

<b>DOCUMENT TYPE</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT TITLE</b>	<b>PRIVILEGE</b>
List	3/12/13	NCHGW Site OU1 PRP List	5 U.S.C. 552(b)(5) Deliberative Process and Attorney Work Product
Email	1/7/14	Email from Sharon Kivowitz to Jennifer LaPoma, Re: Another Question about New Cassel	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	2/4/14	Email from Sharon Kivowitz to Sandra Levy, Re: PRP Information 2	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	2/18/14	Email from Sharon Kivowitz to James Doyle and Jennifer LaPoma Re: NCHGW Settlement Agreement	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	2/19/14	Email from Sharon Kivowitz to Jennifer LaPoma Re: Question for you	5 U.S.C. 552(b)(5) Deliberative Process and Attorney-Client
Email	3/6/14	Email from Sharon Kivowitz to Jennifer LaPoma Re: Question for you	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	5/6/14	Email from Sharon Kivowitz to James Doyle and Jennifer LaPoma Re: NCHGW Docs	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	6/9/14	Email from Sharon Kivowitz to Jennifer LaPoma Re: Question	5 U.S.C. 552(b)(5) Deliberative Process and Attorney-Client

Email	6/9/14	Email from Jennifer LaPoma to Sharon Kivowitz Re: Question	5 U.S.C. 552(b)(5) Deliberative Process and Attorney-Client
Email	6/9/14	Email from Sharon Kivowitz to Jennifer LaPoma Re: Question	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	7/2/14	Email from Sharon Kivowitz to Jennifer LaPoma and Pietro Mannino (cc to James Doyle, Nicoleta DiForte and Thomas Lieber) Re: Parties added to Respondent List	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	7/3/14	Email from Sharon Kivowitz to Jennifer LaPoma and Pietro Mannino (cc to James Doyle, Nicoleta DiForte and Thomas Lieber) Re: Parties added to Respondent List	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Email	7/7/14	Email from James Doyle to Sharon Kivowitz, Jennifer LaPoma and Pietro Mannino Re: Parties	5 U.S.C. 552(b)(5) Deliberative Process, Attorney Work Product, and Attorney-Client
Attorney Notes	Various dates from 11/18/13 through July 23, 2014	Various attorney notes including personal impressions from meetings and phone conversations.	5 U.S.C. 552(b)(5) Deliberative Process and Attorney Work Product